IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHT DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 4767 of 2005

Between:

Khaja Moinuddin, S/o.Late Ghulam Nabi R/o.7-55, Ali Nagar, Errakunta, R.R.Dist.

..... PETITIONER

AND

1 The Station House officer, P.S.Pahadi Shareef, Cyberabad, R.R.District.
2 Commissioner of police Cyberabad City, Lakdi-ka-pul, Saifabad, Hyderabad.
3 Syed Shareef, S/o.S.A.Rahman, R/o.H.No.7-65, Alinagar, Errakunta Hyderabad.
4 Smt.Mehrajunnissa, W/o.Syed Shareef, R/o.H.No.7-65, Alinagar, Errakunta Hyderabad.
5 Smt.Sayeedunnisa, D/o.Syed Shareef, R/o.H.No.7-65, Alinagar, Errakunta Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ, order or directions more particularly in the nature of writ of Habeas Corpus directing the Respondents to produce the detenu, Mohd Moosa S/o.Khaja Moinuddin aged about 16 years (Minor) and hand over the custody of the minor to the petitioner herein and to grant such other and further relief as this Hon'ble court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.ALI FAROOQUE

Counsel for the Respondent Nos.1 and 2: THE ADVOCATE GENERAL

Counsel for the Respondents 3 to 5: Appeared in person

The Court made the following :

HON'BLE MR. JUSTICE BILAL NAZKI

AND

HON'BLE MR. JUSTICE L. NARASIMHA REDDY

W.P.NO. 4767 OF 2005

ORDER: (Per Hon'ble Mr. Justice Bilal Nazki)

Heard learned counsel for the parties. Medical report has come which shows that the alleged detenu is aged between 16 and 17 years. The alleged detenu who is present in the Court again reiterates that he wants to go with his father. He is allowed to go with his father. Respondent No.5 may workout her remedies in appropriate proceedings in appropriate Court if so advised as she claims that the alleged detenu had married her. The writ petition is accordingly disposed of. No costs.

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BN J.

_____

LNR J.

Dt.28.3.2005

KR

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Station House officer, P.S.Pahadi Shareef, Cyberabad, R.R.District.
2 Commissioner of police Cyberabad City, Lakdi-ka-pul, Saifabad, Hyderabad.

3. 2 CCs to Advocate General, High Court Buildings, Hyderabad (out);

4. 2 CD copies